

# CANNOT SCRAP TREATY, ROOT WARNS

## HYLAN STARTS REVIEW OF CITY CONTRACTS

To-Night's Weather—UNSETTLED; LIGHT RAINS.

WOULD YOU MARRY  
YOUR HUSBAND AGAIN?  
See Magazine Page

The Evening World.

"Circulation Books Open to All."

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FINAL  
EDITION  
ITS IN THE EVENING WORLD

VOL. LXI. NO. 21,582—DAILY.

Copyright, 1920, by The Press Publishing Co. (The New York World).

NEW YORK, MONDAY, NOVEMBER 8, 1920.

Entered as Second-Class Matter Post Office, New York, N. Y.

PRICE THREE CENTS

### ATTEMPT TO CLOG INQUIRY INTO BUILDING GRAFT WILL NOT PREVAIL, JUDGE SAYS

George S. Backer Pleads Not  
Guilty to Perjury Charge  
Before Mulqueen.

HYLAN MAY BE WITNESS.

School Contracts Now Out-  
standing for \$12,000,000 to  
Be Delved Into.

George S. Backer, general building contractor, pleaded "not guilty" to an indictment charging perjury in Lockwood Committee testimony before Judge Mulqueen in General Sessions today. Charges of intent to interfere with the committee by dilatory tactics were made by Samuel Untermyer, counsel to the committee, and special assistant district attorney in charge of criminal phases of its disclosures.

Mr. Backer, who was counsel for Mayor Hylan when he was charged with contempt of court for refusing to respond to subpoenas of the Aldermanic Grand Jury, appeared as counsel for Backer. With him were associated Samuel Levy of Backer's business counsel and former Assistant District Attorney Robert Manley.

Mr. Manley asked for "reasonable time" in which to make motions or change of plea, which might take the form of a motion to inspect the Grand Jury minutes, a technical denial of the constitutional right of the committee to carry on its investigation or a demurrer.

Mr. Untermyer said the public interest demanded prompt action in Backer's case. He said that not more than one week should be allowed for motions. Manley pleaded he had many professional engagements that he might not be able to prepare his case promptly.

"Professional engagements must not be allowed to slacken this investigation," said Mr. Untermyer. "This defendant is a man of great wealth. He is able to employ and has employed the best of counsel. He should be able to employ a lawyer who is not too busy to give this case the attention which it should have at once."

"I cannot elicit undertakings previously made to me," said Mr. Manley. "I have to earn my own living by attending to my practice. I am not so fortunately situated as some others."

"Is that intended as a reproach to me?" demanded Mr. Untermyer. "Mr. Untermyer is reputed to be one of the twenty wealthiest men in the United States. Mr. Manley does not reply."

Mr. Untermyer continued: "This investigation cannot go on if witnesses before the committee are to be allowed to answer questions in any way they please without being brought sternly to account."

"This case should have speedy determination," said Judge Mulqueen, "not because Mr. Untermyer demands it but because the interests of the public demand it. This committee must not be fouled or hindered. But Mr. Manley is a very

### MAYOR TAKES STEP TO PROBE INTO ALL CITY'S CONTRACTS

Board of Estimate Called Into  
Special Session on Collu-  
sive Bidding.

A special meeting of the Board of Estimate and Apportionment was called by Mayor Hylan for 3:15 o'clock this afternoon to consider charges of collusive bidding on city contracts. The call was announced on the adjournment of a meeting of the Finance and Budget Committee in the office of Comptroller Craig after Craig had insisted that the whole Board and not the Budget Committee should take the responsibility for investigating the scandal charges. Craig carried his point.

The Mayor called Corporation Counsel O'Brien and Commissioner of Accounts Hirschfeld before the Budget Committee meeting to substantiate his assertion he had already taken the action for which a letter of Samuel Untermyer, counsel to the Lockwood Committee, blamed him for not having taken.

"With well," said Comptroller Craig, "we have here a school contract which has already jumped 200 per cent in price."

Hylan asked Hirschfeld if he knew of the item.

"I have not come to it yet in my general investigation," said Hirschfeld. Craig laughed sarcastically.

### COURT HOUSE BIDS NOT PROBED BY ANY CITY DEPARTMENT

Nobody Tried to Find Out If  
There Was Collusion Be-  
tween the Contractors.

According to Joseph Haag, Secretary of the Board of Estimate, the new Court House bids rejected because of the scandal brought to light by the Lockwood Committee, were not investigated by the experts of the Board of Estimate. Mr. Haag says his force was not directed to probe the bids in search of collusion.

Comptroller Craig is the committee on the new Court House of the Board of Estimate. It is a single-headed body. Secretary Haag says the Court House bids, which were opened at a regular meeting of the Board of Estimate, were turned over to him for tabulation, but that the work was actually done by Chandler Withington, Chief Engineer of the Finance Department, of which the Comptroller is the head. Withington was selected because he had helped prepare the specifications on which the bids were based, according to Haag.

Asked point blank if he knew whether the new Court House bids had been investigated by any one, Mr. Haag replied that he did not know what had happened after the bids had reached the hands of Withington. The records of the Board of Estimate furnished by Mr. Haag show that whatever action was taken as to bids in the matter of awarding bids was on the recommendation of Comptroller Craig.

The minutes of AUG 9, which are highly interesting in view of recent

### SUPREME COURT UPHOLDS RIGHT TO MOVE LIQUOR

Highest Court Rules Also That  
It May Be Stored Away  
From Home.

BIG POINT FOR WETS.

It Is Stipulated, However, That  
Booze Must Have Been  
Legally Acquired.

WASHINGTON, Nov. 8.—Liquor lawfully acquired by a person for his personal use may be stored in a place other than his home under a ruling today by the Supreme Court.

The court's decision was on an appeal brought by William G. Street of New York City from lower court decrees refusing an injunction prohibiting Federal Prohibition officers from seizing liquor which he had stored in a room leased from a safe deposit company. The Court declared Congress did not intend to prohibit storage when the liquor was lawfully acquired for a lawful purpose.

The decision was rendered by Associate Justice Clark. The lower court in upholding the portion of the Enforcement Act interpreted by Prohibition enforcement officials as prohibiting storage except in the home, held that Congress, under the police power delegated by the Prohibition Amendment had authority to prohibit any transportation of liquor and that in order to reduce the necessity for transportation a minimum it had the power to legislate as to the places where liquor might lawfully be possessed.

Justice Clark also held that the transportation of lawfully acquired liquor from a warehouse to the home of the owner did not constitute "transportation" within the meaning of the Enforcement Act.

### ROBERT W. GOELET TO WED FRENCH GIRL

New York Millionaire Engaged to  
Mlle. Anne Guesler, Daughter  
of Railroad Director.

PARIS, Nov. 8.—The engagement is announced by the Paris *Figaro* of Robert Walton Goelet, New York financier and clubman, No. 581 Fifth Avenue, to Mlle. Anne Guesler, daughter of a large Bordeaux landowner and director of the Orleans Railroad.

Robert Walton Goelet, son of the late Peter Goelet and grandson of the late Peter Goelet, is one of America's wealthiest financiers.

### N. Y. ARMY OFFICER KILLED IN PLANE

Lieut. Rex E. Field Dies When  
Machine Goes Into Tail Spin  
at Dallas, Tex.

DALLAS, Tex., Nov. 8.—Lieut. Rex E. Field, thirty, was killed at Love Field, when an airplane in which he and a civilian were flying went into a tail spin at an altitude of 1,500 feet and plunged to the ground.

Lieut. Field was the son of Mrs. T. R. Field, No. 533 Green Street, New York City. He was a graduate of Cornell University and had been in the Mexican border.

The passenger sustained a broken arm and minor injuries.

### ARREST FOR "S" MOKING."

First of 2000 Warrants Issued  
Served a Brooklyn.

### ARNSTEIN WINS; SUPREME COURT ORDERS RELEASE

Reverses Decisions of Lower  
Tribunals—Freed on Habeas  
Corpus Writ.

DEMANDS EARLY TRIAL.

Lawyer for \$5,000,000 Bond  
Theft Suspect Seeks to  
Hasten Case.

Word was received here today that the United States Supreme Court had sustained the appeal of "Nicky" Arnstein against the decision of Judges Manton, Howe and A. N. Hand of the New York District and had ordered the District Court to grant a writ of habeas corpus.

Arnstein was committed to Ludlow Street Jail five weeks ago for contempt in refusing to tell various details of his famous trip out of town last spring when he played blind man's bluff with the New York Detective Bureau which wanted to arrest him on charges of complicity in the \$5,000,000 bond robberies in Wall Street last fall and winter.

The district judge held that he was not justified in refusing to answer the questions by the plea that the answers would incriminate and degrade him; they said he had waived immunity by filing schedules in bankruptcy which could not be proved correct without the testimony he refused to give. The effect of the decision, according to William J. Fallon of Arnstein's counsel, is to release him automatically from the \$5,000,000 bail on which he sat large from Ludlow Street Jail.

Arnstein is in Washington demanding an immediate trial on a charge of having taken stolen securities to Sullivan, a broker of that city, for sale.

"His action in Washington in presenting himself for immediate trial," said Fallon, "entitles him to be admitted to bail there if the Government is not ready to go on. If I were not tied up in court here I would go to Washington and have him out of custody to-night. He will get out to-morrow anyway."

Edward H. Furey, known as "Big Ed," is on trial today before Judge Rosenzweig charged with having had a part in the bond robberies. The Gluck brothers, Wall Street messengers, have put confessions in the hands of the police and will be used as witnesses. It is understood, against Furey, Mettles and Fallon, Arnstein's lawyers, are defending Furey.

### LANDLADY BARRED OUT TENANT; GUILTY

Sentence Deferred a Week—Court  
Says Action Is Inimical to  
Anarchy.

Because she barricaded a door against a tenant, Mrs. Grace Ahrens, a landlady of No. 2021 Coney Avenue, Brooklyn, was found guilty of disorderly conduct today by Magistrate Reynolds in Coney Island Court. Nov. 15 was set as the date for her sentence.

"If the landlords of this city," said Magistrate Reynolds, "were allowed to barricade doors of apartments and doors of different types of houses we would have a city filled with anarchy. You lock the door into your own hands by barricading the door. You would have gone to the Municipal Court to get a contempt order."

Mrs. Ahrens was charged with having a pistol hidden in her room and having used it to threaten a tenant. She was found guilty of both charges.

She was sentenced to 30 days in the House of Correction, but the sentence was deferred a week because of illness.

### Gen. Nivelle, Hero of War, In Tears as He Salutes The Statue of Liberty

Greets America As the Birth-  
place of Freedom—Praises  
U. S. Soldiers.

Gen. Robert Georges Nivelle, gray-haired hero of the big war, standing on the deck of the French liner *La Lorraine*, saluted the Statue of Liberty this morning as the ship moved up toward her pier. The eyes of the old soldier were misty.

Grouped about him were a number of distinguished Americans who had gone down the bay on the army tug *Ordinance* to meet him at Quarantine. Major Gen. Robert Le Bullard, commander of the Department of the East, headed the Committee of Welcome. Others were: Major Elliott C. Bacon of the American Legion; J. T. Moses, Chairman of the Mayor's Council; Gen. John F. O'Rourke, who commanded the 27th Division in France; Gen. DeWitt C. Weld; Major Lorillard Spencer of the 30th Infantry; Hamilton Holt, editor of the Independent; Dr. Alfred W. Anthony, General Secretary of the Home Mission Council; and Major Leonard Sullivan of the New York organization of the American Legion.

In response to the brief, soldierly address of welcome by Gen. Bullard, the French General, speaking precisely, scholarly English, greeted America as the birthplace of liberty and said he had come "not only in love of America but in respect for your men as soldiers and as gentlemen."

"I already feel that I live in America," he said, "and I salute her as the great sister of my republic, France."

In addition to the crowd of casual spectators waiting at the pier when the ship docked there were five troops of Boy Scouts under command of Scout Commissioner Charles F. MacFarland. The Rev. Henry A. Atkinson was also present, as Secretary of the Church Peace Union.

Gen. Nivelle's immediate purpose in coming to America is to take part in the celebration of the Mayflower Tercentenary, to which he is a delegate.

He was escorted to the Waldorf-Astoria for luncheon and to meet many distinguished people. Later in the afternoon he started for Washington, where he will be the guest of the War Department for the rest of the week, after which he will travel through the country, arriving at Boston on Dec. 1.

When the great war opened in 1914 Nivelle was a Colonel commanding the 5th Regiment of Artillery. In less than three months he was General of the 27th Division.

Nivelle succeeded Joffre as Commander-in-Chief of the French Armies, and when the time came for the selection of a generalissimo to direct the armies of all the Allied nations in France, the name of Nivelle revealed that of Foch, to whom the task was ultimately entrusted.

### TROUBLE AHEAD FOR BOSTON VAMPS

Mayor Peters Announces That He  
Will Appoint Eight Police  
Women.

BOSTON, Nov. 8.—Flirting on Boston Common will become a dangerous practice after Nov. 1, when police announced by Mayor Peters today for the appointment of the city's first woman police-men to the force.

The Mayor said he had consulted with Police Commissioner Curtis regarding means of holding the common of some of the "gangs" of both sexes who have made it a meeting ground and that as a result eight women would be selected from the civil service lists for appointment to police duty there. They pay, like that of the men, will be \$1,400 a year.

### ROOT IN HIS CABLEGRAM GAVE NOTICE TO HARDING THAT LEAGUE IS NOT DEAD

Message Sent Before His Return Fore-  
casting Chaos Gave Offense to the  
Candidate, and There Is No Talk  
Now of a Cabinet Place for Root.

By David Lawrence.  
(Special Correspondent of The Evening World.)

WASHINGTON, D. C., Nov. 8 (Copyright, 1920).—Elihu Root has advised Senator Harding that "a new deal from the beginning by abandoning the Peace Treaty of Versailles is impossible and that to attempt it would bring chaos and an entire loss of the results of the war and general disaster involving the United States."

This advice, it now can be disclosed, was given by cablegram from London by Mr. Root during the latter part of August, and was an effort to keep Senator Harding from adopting the extreme position on the Treaty and League which Senator Johnson was advocating.

The cablegram was sent partly as a result of an inquiry by Will Hays, Chairman of the Republican National Committee, as to whether The Hague Court could not be so defined as to include the work supposed to be the object of the League of Nations. Also there is an interesting story of what happened at Marion when the cable from Mr. Root arrived.

ELIHU ROOT CABLED "LEAGUE IS NOT DEAD."

First of all this correspondent presents exclusively to-day in The Evening World the ideas of Mr. Root as cable to a man who was stopping in Marion during the latter part of August and who showed the cablegram to Senator Harding. Here is what Mr. Root cabled:

"Declaration on which Hays asks an opinion cannot be defined. The Hague Court cannot be made to cover anything but justifiable questions. Matters of state policy must be dealt with by conference of powers. See explanation in my letter to Hays of March, 1919."

"It is very unwise to declare the League dead. It would not be true. The League has hardly begun to function, because the terms of peace have not yet been enforced by the victorious nations."

Polish questions for example, are properly being handled by the Foreign Office without any reference to the league. They are not the league's business."

"In my opinion a new deal here from the beginning by abandoning the Versailles Treaty is impossible. To attempt it would bring chaos and entire loss of results of the war and general disaster involving the United States. The only possible course is to keep the treaty, modifying it to meet the requirements of the Senate reservations and the Chicago platform and probably in some other respects."

"The problem way in which some modifications can be best made must be determined at the time in conference with the other parties. It is impossible to forecast the methods because conditions next March are necessarily uncertain. Now the central idea is that the deadlock resulting from President Wilson's perverse refusal to negotiate for the consent of other powers to Americanization of the treaty, but that our new Administration will ensure that consent."

"A separate declaration of peace was justified only by President Wilson's refusal to act. After March 4 that will no longer be justifiable unless other powers refuse to consent to modification, which I do not anticipate. Don't allow Cox to drive you off the

stage."



GEN. GEORGES NIVELLE.

### CONGRESS WOMAN REFUSES TO WEAR SILK STOCKINGS

Miss Robertson Reads Detec-  
tive Stories—Expects No  
Marriage Proposals.

MUSKOGEE, Okla., Nov. 8.—Miss Alice Robertson, the first woman successor of Jeannette Rankin as a member of Congress, says she will not shed tears if called upon to vote upon a declaration of war, as her predecessor did.

A photographer's request to hold something in her hands revealed one of her secret delights, for she picked up a detective story magazine. A second request from the camera man to "cross your feet" revealed some aversions of hers.

"There are some things I won't do," she smiled. "I was raised never to cross my feet, and I am going to stay that way. I've never had a pair of silk stockings, and I will not wear high-heeled shoes. I wore them when I was young, but I think they're injurious to the health and—never again."

"Miss Alice" hopes her election will not bring the flood of proposals she followed her appointment as Postmaster by T. R.

"I'm sixty-five, you know," she said. "That ought to protect me. I've been a total abstinent society of one all my life. My parents were missionaries to the Indians, and missionaries in the Indians don't love liquor."

Three "singles" have guided her life, she said. They were: I am a Christian, I am an American, I am a Republican.

COULDN'T GET HOT WATER.

Abraham Gluck of No. 302 South Fourth Street, Brooklyn, was held in \$100 bail by Magistrate McInnes in the Bridge Plaza Court, Brooklyn, today on complaint made by inmate at No. 343 South Fourth Street and 124 South Eighth Street, Brooklyn, alleging that Gluck failed to supply hot water.

The complaint was signed by Herman Gluck of No. 123 South Eighth Street, and Mrs. Kate Weiss, 362 South Fourth Street. Gluck was held in \$100 bail on complaint for the Court of Special Sessions.

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(Continued on Second Page.)

(Raising News on Page 2 and 18.)